IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.1109 OF 2007

Sadashiv Baccharam Desai & Ors. ...Petitioners

Versus

Asst.Registrar for Co-operative Societies, Kolhapur & Ors. ...Respondents

Shri P.D.Dalvi for the Petitioners.
Shri P.I.Khemani, A.G.P for the Respondent No.3.
Shri Yashodar Sakhare, Advocate as intervenor.

CORAM : ABHAY S.OKA, J.
DATED : APRIL 12, 2007.

P.C.:

1. Heard learned Advocates appearing for the parties. It is brought to my notice that by judgment and order dated 29th March, 2007 passed by the Divisional Joint Registrar of Co-operative Societies, the order dated 12th February, 2007 which is impugned in this Writ Petition has been set aside and the matter has been remanded to the Assistant Registrar for taking a fresh decision. A copy of the judgment and order dated 29th March, 2007 is taken on record.

2. In view of the said order, this Petition does not survive. The learned Advocate for the Petitioners prays that in case the order passed by the Assistant

Registrar is adverse to the Petitioners, the same may not be allowed to be implemented for a reasonable period.

3. Hence, Writ Petition is disposed of by passing following order:

(i) Writ Petition is disposed of as infructous.

(ii) In case the order passed by the Assistant Registrar is adverse to the Petitioners, the same shall not be given effect to for a period of two weeks from the date on which the order is communicated to the Petitioners.

(iii) All contentions of the parties are kept open.

(iv) No orders as to costs.

JUDGE